

ESTTA Tracking number: **ESTTA534916**

Filing date: **04/29/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	SB PHILLIPS LLC
Granted to Date of previous extension	04/28/2013
Address	1215 E. Fort Avenue Baltimore, MD 21230 UNITED STATES
Attorney information	Tracy-Gene G. Durkin Sterne, Kessler, Goldstein & Fox P.L.L.C. 1100 New York Avenue, NW Washington, DC 20005 UNITED STATES tm@skgf.com, tdurkin@skgf.com, jshirk@skgf.com Phone:(202) 371-2600

Applicant Information

Application No	85465171	Publication date	10/30/2012
Opposition Filing Date	04/29/2013	Opposition Period Ends	04/28/2013
Applicant	Lee, Natalie 50 F Street, N.W. Washington, DC 20001 UNITED STATES		

Goods/Services Affected by Opposition

Class 043. First Use: 2003/03/27 First Use In Commerce: 2003/03/27
All goods and services in the class are opposed, namely: Restaurant and catering services

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1125048	Application Date	08/05/1977
Registration Date	09/11/1979	Foreign Priority Date	NONE
Word Mark	PHILLIPS		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 042. First use: First Use: 1956/05/30 First Use In Commerce: 1963/08/17 RESTAURANT SERVICES		
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U.S. Registration No.	970391	Application Date	06/13/1972
Registration Date	10/09/1973	Foreign Priority Date	NONE
Word Mark	PHILLIPS CRAB HOUSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U100 (International Class 042). First use: First Use: 1956/05/30 First Use In Commerce: 1963/08/17 RESTAURANT SERVICES		

U.S. Registration No.	1106334	Application Date	08/05/1977
Registration Date	11/14/1978	Foreign Priority Date	NONE
Word Mark	PHILLIPS SEAFOOD HOUSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1977/06/00 First Use In Commerce: 1977/06/00 RESTAURANT SERVICES		

U.S. Registration No.	2395764	Application Date	11/01/1999
Registration Date	10/17/2000	Foreign Priority Date	NONE
Word Mark	PHILLIPS SEAFOOD RESTAURANTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1956/00/00 First Use In Commerce: 1983/00/00 RESTAURANT SERVICES		

U.S. Registration No.	3243635	Application Date	04/15/2005
Registration Date	05/22/2007	Foreign Priority Date	NONE
Word Mark	PHILLIPS FLAGSHIP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 1985/12/00 First Use In Commerce: 1985/12/00 restaurant services		

Attachments	2235 087OPT0 OPP.pdf (36 pages)(3196289 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Tracy Durkin/
Name	Tracy-Gene G. Durkin
Date	04/29/2013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>SB PHILLIPS LLC,</p> <p>Opposer,</p> <p>v.</p> <p>NATALIE LEE,</p> <p>Applicant.</p>	<p>Opposition No.:</p> <p>Mark: CAFE PHILLIPS and Design</p> <p>Serial No.: 85465171</p> <p>Filed: November 4, 2011</p>
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NOTICE OF OPPOSITION

SB Phillips LLC ("Opposer"), a Maryland limited liability company having a principal place of business at 1215 E. Fort Avenue, Baltimore, Maryland 21230, believes that it is being and will be damaged by the registration of the above-identified mark shown in Application Serial No. 85465171 (the "'171 Application"), and having been granted an extension of time to oppose the '171 Application up to and including April 28, 2013, hereby opposes grant of the registration. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Opposer's own acts, and upon information and belief as to other matters:

Opposer and its PHILLIPS Marks

1. Since at least as early as August 17, 1963, Opposer has used the trade name and mark PHILLIPS, in commerce, in connection with restaurant services.
2. Opposer has used the trade name and mark PHILLIPS in the United States since long prior to the filing date of Applicant's '171 Application (November 4, 2011), and the date of first use in commerce alleged in the '171 Application (March 27, 2003).

3. As a result of such use of the trade name and mark PHILLIPS, and Opposer's continued use of the trade name and mark PHILLIPS, Opposer has acquired valuable rights and goodwill in and for this trade name and mark for a variety of goods and services, including restaurant services.

4. Opposer is the owner of the following United States trademark registrations for the following PHILLIPS and PHILLIPS-formative marks (printouts from the USPTO TESS and TSDR databases, which includes assignment abstract of title information, are attached as Exhibit A):

Mark	Reg. No.	Reg. Date	Date of First Use in Commerce	Services
PHILLIPS	1125048	September 11, 1979	August 17, 1963	Restaurant services
PHILLIPS CRAB HOUSE	0970391	October 9, 1973	August 17, 1963	Restaurant services
PHILLIPS SEAFOOD HOUSE	1106334	November 14, 1978	June 1977	Restaurant services
PHILLIPS SEAFOOD RESTAURANTS	2395764	October 17, 2000	1983	Restaurant services
PHILLIPS FLAGSHIP	3243635	May 22, 2007	December 1985	Restaurant services

(Opposer's registered and common law PHILLIPS and PHILLIPS-formative marks are collectively referred to as the "PHILLIPS Marks").

5. The foregoing registrations in Paragraph 4 are valid and subsisting and constitute *prima facie* evidence of the validity of the marks and registrations, of Opposer's ownership of

and exclusive right to use the marks in commerce, and provide constructive notice of ownership thereof by Opposer.

6. All of the registrations in Paragraph 4 are incontestable.

Applicant and her CAFE PHILLIPS and Design Application

7. Upon information and belief, Natalie Lee ("Applicant"), is an individual having a mailing address of 50 F Street, NW, Washington, DC 20001.

8. Applicant is the listed owner of Application Serial No. 85465171 filed November 4, 2011, for the CAFE PHILLIPS and design mark for "restaurant and catering services," in International Class 43.

9. The term CAFE of Applicant's mark is descriptive and has been disclaimed by Applicant.

Likelihood of Confusion, 15 U.S.C. §1052(d)

10. Opposer repeats and realleges each and every allegation set forth above.

11. Opposer has used its PHILLIPS trade name and PHILLIPS Marks in commerce since long prior to the filing date of the '171 Application and the first use date alleged therein.

12. Opposer also has priority based on its pleaded valid and subsisting registrations.

13. Applicant's CAFE PHILLIPS and design mark is highly similar in sound, appearance, connotation, and commercial impression to Opposer's PHILLIPS Marks.

14. Applicant's mark incorporates the whole, or dominant portion, of Opposer's PHILLIPS trade name and PHILLIPS Marks, and the dominant portions of Opposer's Marks and Applicant's Mark are identical.

15. Further, the services recited in the opposed application are identical to and/or overlap with the services advertised, offered, and sold by Opposer under Opposer's PHILLIPS Marks.

16. Applicant's CAFE PHILLIPS and Design mark so resembles Opposer's PHILLIPS trade name and Opposer's registered and prior used PHILLIPS Marks as to be likely, when used in connection with Applicant's services, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

17. For these reasons, Opposer is being and will be damaged by the registration of Applicant's CAFE PHILLIPS and design mark shown in the '171 Application.

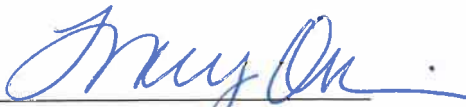
18. WHEREFORE, Opposer respectfully requests that this opposition be sustained in favor of Opposer, and that application Serial No. 85465171 be refused registration.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 190036.

Respectfully submitted,

Dated: April 29, 2013

By:

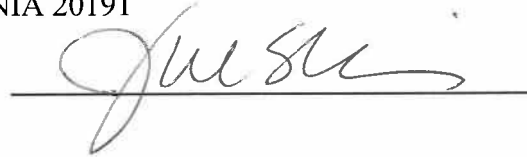


Tracy-Gene G. Durkin
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 New York Avenue, NW
Washington, DC 20005
Telephone: 202-371-2600
Facsimile: 202-371-2540
Attorneys for Opposer
SB Phillips LLC

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing NOTICE OF OPPOSITION was served by overnight Federal Express courier on this 29th day of April 2013, upon counsel for Applicant at the following address of record:

Cynthia K. Stephenson, Esq.
Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VIRGINIA 20191

A handwritten signature in dark ink, appearing to read "C. Stephenson", is written over a horizontal line.

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Word Mark	PHILLIPS
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES. FIRST USE: 19560530. FIRST USE IN COMMERCE: 19630817
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73136571
Filing Date	August 5, 1977
Current Basis	1A
Original Filing Basis	1A
Registration Number	1125048
Registration Date	September 11, 1979
Owner	(REGISTRANT) PHILLIPS CRAB HOUSE, INC. CORPORATION MARYLAND 2004 PHILADELPHIA AVE. OCEAN CITY MARYLAND 21842 (LAST LISTED OWNER) S.B. PHILLIPS, LLC LIMITED LIABILITY COMPANY MARYLAND 1215 EAST FORT AVENUE BALTIMORE MARYLAND 21230
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tracy-Gene G. Durkin
Prior Registrations	0970391;1044473
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090815.
Renewal	2ND RENEWAL 20090815
Live/Dead Indicator	LIVE

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Mark: PHILLIPS

US Serial Number: 73136571
US Registration Number: 1125048

Application Filing Date: Aug. 05, 1977

Registration Date: Sep. 11, 1979

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Aug. 15, 2009

Mark Information

Mark Literal Elements: PHILLIPS

Standard Character Claim: No

[expand all](#)

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties InformationClaimed Ownership of US [0970391, 1044473](#)

Registrations:

Goods and Services**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: RESTAURANT SERVICES

International Class: 042 - Primary Class

U.S Class: 100

Class Status: ACTIVE

Basis: 1(a)

First Use: May 30, 1956

Use in Commerce: Aug. 17, 1963

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: S.B. PHILLIPS, LLC

Owner Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where MARYLAND
Organized:

Attorney/Correspondence Information**Attorney of Record****Attorney Name:** Tracy-Gene G. Durkin**Docket Number:** 2235.0040000**Correspondent****Correspondent:** Tracy-Gene G. Durkin**Name/Address:** Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue, NW
Washington, DISTRICT OF COLUMBIA 20005-3934
UNITED STATES**Phone:** (202) 371-2600**Fax:** (202) 371-2540**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 06, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 15, 2009	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Aug. 15, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 14, 2009	ASSIGNED TO PARALEGAL	75461
Aug. 12, 2009	TEAS SECTION 8 & 9 RECEIVED	
Jan. 28, 2008	CASE FILE IN TIGRS	
Sep. 27, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 14, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 14, 1999	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 30, 1999	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Oct. 03, 1985	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 18, 1985	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Renewal Date:** Sep. 11, 2009**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** POST REGISTRATION**Date in Location:** Aug. 15, 2009**Assignment Abstract of Title Information****Conveyance Filter****Summary****Total Assignments:** 4**Registrant:** PHILLIPS CRAB HOUSE, INC.**Assignment 1 of 4****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** 3237/0559**Pages:** 6**Data Recorded:** Jan. 31, 2006**Supporting Documents:** assignment-tm-3237-0559.pdf**Assignor****Name:** PHILLIPS CRAB HOUSE, INC.**Execution Date:** Oct. 06, 2005**Legal Entity Type:** CORPORATION**State or Country Where** MARYLAND**Organized:****Assignee**

Name: S.B. PHILLIPS, LLC**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** MARYLAND**Address:** 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230**Correspondent****Correspondent Name:** TRACY-GENE G. DURKIN**Correspondent Address:** 1100 NEW YORK AVENUE, NW
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
WASHINGTON, DC 20005**Domestic Representative - Not Found****Assignment 2 of 4****Conveyance:** COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY**Reel/Frame:** 3394/0675**Pages:** 11**Date Recorded:** Sep. 21, 2006**Supporting Documents:** assignment-tm-3394-0675.pdf**Assignor****Name:** S.B. PHILLIPS, LLC**Execution Date:** Sep. 15, 2006**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** MARYLAND**Assignee****Name:** SUNTRUST BANK**Legal Entity Type:** BANKING CORP.**State or Country Where
Organized:** No Place Where Organized Found**Address:** 120 EAST BALTIMORE STREET
25TH FLOOR
BALTIMORE, MARYLAND 21202**Correspondent****Correspondent Name:** MILES & STOCKBRIDGE P.C.**Correspondent Address:** 10 LIGHT STREET
BALTIMORE, MD 21202**Domestic Representative - Not Found****Assignment 3 of 4****Conveyance:** SECURITY INTEREST**Reel/Frame:** 4298/0718**Pages:** 10**Date Recorded:** Oct. 19, 2010**Supporting Documents:** assignment-tm-4298-0718.pdf**Assignor****Name:** S.B. PHILLIPS, LLC**Execution Date:** Sep. 10, 2010**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** MARYLAND**Assignee****Name:** SHIRLEY F. PHILLIPS REVOCABLE TRUST**Legal Entity Type:** TRUST**State or Country Where
Organized:** MARYLAND**Address:** 2004 PHILADELPHIA AVENUE
OCEAN CITY, MARYLAND 21842**Correspondent****Correspondent Name:** JONATHAN R. WACHS**Correspondent Address:** 8171 MAPLE LAWN BOULEVARD
SUITE 200
MAPLE LAWN, MD 20759**Domestic Representative - Not Found****Assignment 4 of 4**

Conveyance: RELEASE OF COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY

Reel/Frame: 4289/0939

Pages: 6

Date Recorded: Oct. 04, 2010

Supporting Documents: assignment-tm-4289-0939.pdf

Assignor

Name: SUNTRUST BANK

Execution Date: Sep 29, 2010

Legal Entity Type: CORPORATION-STATE: GEORGIA

State or Country Where No Place Where Organized Found
Organized:

Assignee

Name: S.B. PHILLIPS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where UNITED STATES
Organized:

Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: MILES & STOCKBRIDGE

Correspondent Address: 10 LIGHT ST
BALTIMORE, MD 21209

Domestic Representative - Not Found



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Typed Drawing

Word Mark	PHILLIPS CRAB HOUSE
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES. FIRST USE: 19560530. FIRST USE IN COMMERCE: 19630817
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72427126
Filing Date	June 13, 1972
Current Basis	1A
Original Filing Basis	1A
Registration Number	0970391
Registration Date	October 9, 1973
Owner	(REGISTRANT) PHILLIPS CRAB HOUSE, INCORPORATED CORPORATION MARYLAND 2004 PHILADELPHIA AVENUE OCEAN CITY MARYLAND 21842 (LAST LISTED OWNER) S.B. PHILLIPS, LLC LIMITED LIABILITY COMPANY MARYLAND 1215 EAST FORT AVENUE BALTIMORE MARYLAND 21230
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tracy-Gene G. Durkin
Disclaimer	APPLICANT DISCLAIMS THE EXCLUSIVE RIGHT TO USE THE WORDS "CRAB HOUSE" APART FROM THE MARK AS SHOWN.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040220.
Renewal	2ND RENEWAL 20040220
Live/Dead Indicator	LIVE

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Mark: PHILLIPS CRAB HOUSE

US Serial Number: 72427126

Application Filing Date: Jun. 13, 1972

US Registration Number: 970391

Registration Date: Oct. 09, 1973

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Feb. 20, 2004

Mark Information[expand all](#)

Mark Literal Elements: PHILLIPS CRAB HOUSE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: APPLICANT DISCLAIMS THE EXCLUSIVE RIGHT TO USE THE WORDS "CRAB HOUSE" APART FROM THE MARK AS SHOWN.

Goods and Services**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: RESTAURANT SERVICES

International Class: 042

U.S Class: 100 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: May 30, 1956

Use in Commerce: Aug. 17, 1963

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: S.B. PHILLIPS, LLC

Owner Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Tracy-Gene G. Durkin

Docket Number: 2235.0140000

Correspondent

Correspondent Tracy-Gene G. Durkin
Name/Address: Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue, NW
WASHINGTON, DISTRICT OF COLUMBIA 20005-3934
UNITED STATES

Phone: (202) 371-2600

Fax: (202) 371-2540

Correspondent e-mail: tm@skgf.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 14, 2012	TEAS SECTION 8 & 9 RECEIVED	
Oct. 06, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 15, 2008	CASE FILE IN TIGRS	
Sep. 27, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 20, 2004	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Feb. 20, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 24, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 30, 1993	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 15, 1993	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Mar. 05, 1979	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Oct. 09, 2003

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 15, 2008

Assignment Abstract of Title Information

Conveyance Filter

Summary

Total Assignments: 4

Registrant: PHILLIPS CRAB HOUSE, INCORPORATED

Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3237/0559](#)

Pages: 6

Date Recorded: Jan. 31, 2006

Supporting Documents: [assignment-tm-3237-0559.pdf](#)

Assignor

Name: [PHILLIPS CRAB HOUSE, INC.](#)

Execution Date: Oct. 06, 2005

Legal Entity Type: CORPORATION

State or Country Where MARYLAND
Organized:

Assignee

Name: [S.B. PHILLIPS, LLC](#)

State or Country Where MARYLAND
Organized:

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent**Correspondent Name:** TRACY-GENE G. DURKIN**Correspondent Address:** 1100 NEW YORK AVENUE, NW
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
WASHINGTON, DC 20005**Domestic Representative - Not Found****Assignment 2 of 4****Conveyance:** COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY**Reel/Frame:** 3394/0675**Pages:** 11**Date Recorded:** Sep. 21, 2006**Supporting Documents:** assignment-tm-3394-0675.pdf**Assignor****Name:** S.B. PHILLIPS, LLC**Execution Date:** Sep. 15, 2006**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** MARYLAND**Assignee****Name:** SUNTRUST BANK**Legal Entity Type:** BANKING CORP.**State or Country Where Organized:** No Place Where Organized Found**Address:** 120 EAST BALTIMORE STREET
25TH FLOOR
BALTIMORE, MARYLAND 21202**Correspondent****Correspondent Name:** MILES & STOCKBRIDGE P.C.**Correspondent Address:** 10 LIGHT STREET
BALTIMORE, MD 21202**Domestic Representative - Not Found****Assignment 3 of 4****Conveyance:** SECURITY INTEREST**Reel/Frame:** 4298/0718**Pages:** 10**Date Recorded:** Oct. 19, 2010**Supporting Documents:** assignment-tm-4298-0718.pdf**Assignor****Name:** S.B. PHILLIPS, LLC**Execution Date:** Sep. 10, 2010**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** MARYLAND**Assignee****Name:** SHIRLEY F. PHILLIPS REVOCABLE TRUST**Legal Entity Type:** TRUST**State or Country Where Organized:** MARYLAND**Address:** 2004 PHILADELPHIA AVENUE
OCEAN CITY, MARYLAND 21842**Correspondent****Correspondent Name:** JONATHAN R. WACHS**Correspondent Address:** 8171 MAPLE LAWN BOULEVARD
SUITE 200
MAPLE LAWN, MD 20759**Domestic Representative - Not Found****Assignment 4 of 4****Conveyance:** RELEASE OF COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY**Reel/Frame:** 4289/0939**Pages:** 6**Date Recorded:** Oct. 04, 2010**Supporting Documents:** assignment-tm-4289-0939.pdf**Assignor**

Name: SUNTRUST BANK

Execution Date: Sep. 29, 2010

Legal Entity Type: CORPORATION-STATE: GEORGIA

State or Country Where No Place Where Organized Found
Organized:

Assignee

Name: S.B. PHILLIPS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where UNITED STATES
Organized:

Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: MILES & STOCKBRIDGE

Correspondent Address: 10 LIGHT ST
BALTIMORE, MD 21209

Domestic Representative - Not Found



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Typed Drawing

Word Mark	PHILLIPS SEAFOOD HOUSE
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES. FIRST USE: 19770600. FIRST USE IN COMMERCE: 19770600
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73136570
Filing Date	August 5, 1977
Current Basis	1A
Original Filing Basis	1A
Registration Number	1106334
Registration Date	November 14, 1978
Owner	(REGISTRANT) PHILLIPS CRAB HOUSE, INC. CORPORATION MARYLAND 2004 21ST PHILADELPHIA AVE. OCEAN CITY MARYLAND 21842 (LAST LISTED OWNER) S.B. PHILLIPS, LLC LIMITED LIABILITY COMPANY MARYLAND 1215 EAST FORT AVENUE BALTIMORE MARYLAND 21230
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tracy-Gene G. Durkin
Prior Registrations	0970391;1044473
Disclaimer	WITHOUT WAIVING ANY OF ITS COMMON LAW RIGHTS THEREIN, APPLICANT DISCLAIMS THE EXCLUSIVE RIGHT TO USE THE WORDS "SEAFOOD HOUSE" APART FROM THE MARK AS SHOWN.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20081108.

Renewal 2ND RENEWAL 20081108
Live/Dead
Indicator LIVE

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Mark: PHILLIPS SEAFOOD HOUSE

US Serial Number: 73136570

Application Filing Date: Aug. 05, 1977

US Registration Number: 1106334

Registration Date: Nov. 14, 1978

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Nov. 08, 2008

Mark Information

Mark Literal Elements: PHILLIPS SEAFOOD HOUSE

Standard Character Claim: No

[expand all](#)

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: WITHOUT WAIVING ANY OF ITS COMMON LAW RIGHTS THEREIN, APPLICANT DISCLAIMS THE EXCLUSIVE RIGHT TO USE THE WORDS "SEAFOOD HOUSE" APART FROM THE MARK AS SHOWN.

Related Properties InformationClaimed Ownership of US [0970391](#), [1044473](#)

Registrations:

Goods and Services**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: RESTAURANT SERVICES

International Class: 042 - Primary Class

U.S Class: 100

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1977

Use in Commerce: Jun. 1977

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: S.B. PHILLIPS, LLC

Owner Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Tracy-Gene G. Durkin**Docket Number:** 2235.0090000**Correspondent****Correspondent:** Tracy-Gene G. Durkin**Name/Address:** Sterne, Kessler, Goldstein & Fox P.L.L.C.

1100 New York Avenue, N.W.

Washington, DISTRICT OF COLUMBIA 20005-3934

UNITED STATES

Phone: (202) 371-2600**Fax:** (202) 371-2540**Correspondent e-mail:** tdurkin@skgf.com**Correspondent e-mail No
Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 06, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 08, 2008	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68973
Nov. 08, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 20, 2008	ASSIGNED TO PARALEGAL	68973
Oct. 17, 2008	TEAS SECTION 8 & 9 RECEIVED	
Dec. 27, 2007	CASE FILE IN TIGRS	
Sep. 27, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 14, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 30, 1998	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 14, 1998	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Mar. 06, 1984	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Renewal Date:** Nov. 14, 2008**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** POST REGISTRATION**Date in Location:** Nov. 08, 2008**Assignment Abstract of Title Information****Summary****Total Assignments:** 4**Conveyance Filter****Registrant:** PHILLIPS CRAB HOUSE, INC.**Assignment 1 of 4****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** 3237/0559**Pages:** 6**Date Recorded:** Jan. 31, 2006**Supporting Documents:** [assignment-tm-3237-0559.pdf](#)**Assignor****Name:** PHILLIPS CRAB HOUSE, INC.**Execution Date:** Oct. 06, 2005

Legal Entity Type: CORPORATION

State or Country Where
Organized: MARYLAND

Assignee

Name: S.B. PHILLIPS, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND

Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: TRACY-GENE G. DURKIN

Correspondent Address: 1100 NEW YORK AVENUE, NW
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY

Reel/Frame: 3394/0675

Pages: 11

Date Recorded: Sep. 21, 2006

Supporting Documents: assignment-tm-3394-0675.pdf

Assignor

Name: S.B. PHILLIPS, LLC

Execution Date: Sep. 15, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND

Assignee

Name: SUNTRUST BANK

Legal Entity Type: BANKING CORP.

State or Country Where
Organized: No Place Where Organized Found

Address: 120 EAST BALTIMORE STREET
25TH FLOOR
BALTIMORE, MARYLAND 21202

Correspondent

Correspondent Name: MILES & STOCKBRIDGE P.C.

Correspondent Address: 10 LIGHT STREET
BALTIMORE, MD 21202

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: 4298/0718

Pages: 10

Date Recorded: Oct. 19, 2010

Supporting Documents: assignment-tm-4298-0718.pdf

Assignor

Name: S.B. PHILLIPS LLC

Execution Date: Sep. 10, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND

Assignee

Name: SHIRLEY F. PHILLIPS REVOCABLE TRUST

Legal Entity Type: TRUST

State or Country Where
Organized: MARYLAND

Address: 2004 PHILADELPHIA AVENUE
OCEAN CITY, MARYLAND 21842

Correspondent

Correspondent Name: JONATHAN R. WACHS

Correspondent Address: 8171 MAPLE LAWN BOULEVARD
SUITE 200
MAPLE LAWN, MD 20769

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: RELEASE OF COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY

Reel/Frame: 4289/0939

Pages: 6

Date Recorded: Oct. 04, 2010

Supporting Documents: assignment-tm-4289-0939.pdf

Assignor

Name: SUNTRUST BANK

Execution Date: Sep 29, 2010

Legal Entity Type: CORPORATION-STATE: GEORGIA

State or Country Where No Place Where Organized Found
Organized:

Assignee

Name: S.B. PHILLIPS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where UNITED STATES
Organized:

Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: MILES & STOCKBRIDGE

Correspondent Address: 10 LIGHT ST
BALTIMORE, MD 21209

Domestic Representative - Not Found



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Typed Drawing

Word Mark	PHILLIPS SEAFOOD RESTAURANTS
Goods and Services	IC 042. US 100 101. G & S: RESTAURANT SERVICES. FIRST USE: 19560000. FIRST USE IN COMMERCE: 19830000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75836763
Filing Date	November 1, 1999
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 25, 2000
Registration Number	2395764
Registration Date	October 17, 2000
Owner	(REGISTRANT) Phillips Crab House, Inc. CORPORATION MARYLAND 2004 21st Philadelphia Ave. Ocean City MARYLAND 21842
	(LAST LISTED OWNER) S.B. PHILLIPS, LLC LIMITED LIABILITY COMPANY MARYLAND 1215 EAST FORT AVENUE BALTIMORE MARYLAND 21230
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tracy-Gene G. Durkin
Prior Registrations	0970391;1106334;1699629;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SEAFOOD RESTAURANTS" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)-IN PART
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20101025.
Renewal	1ST RENEWAL 20101025
Live/Dead Indicator	LIVE
Distinctiveness	as to "PHILLIPS"
Limitation Statement	

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Mark: PHILLIPS SEAFOOD RESTAURANTS

PHILLIPS SEAFOOD RESTAURANTS

US Serial Number: 75836763

Application Filing Date: Nov. 01, 1999

US Registration Number: 2395764

Registration Date: Oct. 17, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Oct. 25, 2010

Publication Date: Jul. 25, 2000

Mark Information

Mark Literal Elements: PHILLIPS SEAFOOD RESTAURANTS

Standard Character Claim: No

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Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "SEAFOOD RESTAURANTS"

Acquired Distinctiveness In part

Claim:

Distinctiveness Limitation as to "PHILLIPS"

Statement:

Related Properties InformationClaimed Ownership of US 0970391, 1106334, 1699629 and others
Registrations:**Goods and Services****Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability.
- Asterisks "*" identify additional (note) wording in the goods/services.

For: RESTAURANT SERVICES

International Class: 042 - Primary Class

U.S. Class: 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: 1956

Use in Commerce: 1983

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: S.B. PHILLIPS, LLC

Owner Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where MARYLAND
Organized:**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Tracy-Gene G. Durkin

Docket Number: 2235.0080000

Correspondent

Correspondent Tracy-Gene G. Durkin

Name/Address: STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C
1100 NEW YORK AVENUE, NW
WASHINGTON, DISTRICT OF COLUMBIA 20005-3934
UNITED STATES

Phone: (202) 371-2600

Fax: (202) 371-2540

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 25, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Oct. 25, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 25, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Oct. 18, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 06, 2010	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 27, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 16, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67826
May 22, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 22, 2006	TEAS SECTION 8 & 15 RECEIVED	
Feb. 09, 2006	CASE FILE IN TICRS	
Jan. 14, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 17, 2000	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2000	PUBLISHED FOR OPPOSITION	
Jun. 26, 2000	NOTICE OF PUBLICATION	
Mar. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 10, 2000	EXAMINER'S AMENDMENT MAILED	
Feb. 28, 2000	EXAMINER'S AMENDMENT MAILED	
Feb. 24, 2000	ASSIGNED TO EXAMINER	76581

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 17, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Oct. 25, 2010

Assignment Abstract of Title Information

Conveyance Filter

Summary

Total Assignments: 4

Registrant: Phillips Crab House, Inc.

Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3237/0559

Pages: 6

Date Recorded: Jan. 31, 2005

Supporting Documents: assignment-tm-3237-0559.pdf**Assignor**Name: PHILLIPS CRAB HOUSE, INC.

Execution Date: Oct. 06, 2005

Legal Entity Type: CORPORATION

State or Country Where
Organized: MARYLAND**Assignee**Name: S.B. PHILLIPS, LLCState or Country Where
Organized: MARYLAND

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 1215 EAST FORT AVENUE
BALTIMORE, MARYLAND 21230**Correspondent**

Correspondent Name: TRACY-GENE G. DURKIN

Correspondent Address: 1100 NEW YORK AVENUE, NW
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY

Reel/Frame: 3394/0675

Pages: 11

Date Recorded: Sep. 21, 2006

Supporting Documents: assignment-tm-3394-0675.pdf**Assignor**Name: S.B. PHILLIPS, LLC

Execution Date: Sep. 15, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND**Assignee**Name: SUNTRUST BANKState or Country Where
Organized: No Place Where Organized Found

Legal Entity Type: BANKING CORP.

Address: 120 EAST BALTIMORE STREET
25TH FLOOR
BALTIMORE, MARYLAND 21202**Correspondent**

Correspondent Name: MILES & STOCKBRIDGE P.C.

Correspondent Address: 10 LIGHT STREET
BALTIMORE, MD 21202

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: 4298/0718

Pages: 10

Date Recorded: Oct. 19, 2010

Supporting Documents: assignment-tm-4298-0718.pdf**Assignor**Name: S.B. PHILLIPS, LLC

Execution Date: Sep. 10, 2010

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: MARYLAND**Assignee**Name: SHIRLEY F. PHILLIPS REVOCABLE TRUSTState or Country Where
Organized: MARYLAND

Legal Entity Type: TRUST

Address: 2004 PHILADELPHIA AVENUE
OCEAN CITY, MARYLAND 21842

Correspondent

Correspondent Name: JONATHAN R. WACHS

Correspondent Address: 8171 MAPLE LAWN BOULEVARD
SUITE 200
MAPLE LAWN, MD 20759

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: RELEASE OF COLLATERAL ASSIGNMENT OF TRADEMARKS AS SECURITY

Reel/Frame: 4289/0939

Pages: 6

Date Recorded: Oct. 04, 2010

Supporting Documents: assignment-tm-4289-0939.pdf

Assignor

Name: SUNTRUST BANK

Execution Date: Sep. 29, 2010

Legal Entity Type: CORPORATION-STATE: GEORGIA

State or Country Where No Place Where Organized Found
Organized:

Assignee

Name: S.B. PHILLIPS LLC

State or Country Where UNITED STATES
Organized:

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: MILES & STOCKBRIDGE

Correspondent Address: 10 LIGHT ST
BALTIMORE, MD 21209

Domestic Representative - Not Found



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PHILLIPS FLAGSHIP

Word Mark	PHILLIPS FLAGSHIP
Goods and Services	IC 043. US 100 101. G & S: restaurant services. FIRST USE: 19851200. FIRST USE IN COMMERCE: 19851200
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78609533
Filing Date	April 15, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 6, 2007
Registration Number	3243635
Registration Date	May 22, 2007
Owner	(REGISTRANT) Phillips Crab House, Inc. CORPORATION MARYLAND 2004 N. Philadelphia Avenue Ocean City MARYLAND 21842 (LAST LISTED OWNER) S.B. PHILLIPS LLC LIMITED LIABILITY COMPANY MARYLAND 1215 E. FORT AVENUE BALTIMORE MARYLAND 21230
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tracy-Gene G. Durkin
Prior Registrations	0970391;1106334;1125048;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Mark: PHILLIPS FLAGSHIP

PHILLIPS FLAGSHIP

US Serial Number: 78609533
US Registration Number: 3243635
Register: Principal
Mark Type: Service Mark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Apr. 18, 2013
Publication Date: Mar. 06, 2007

Application Filing Date: Apr. 15, 2005

Registration Date: May 22, 2007

Mark Information

Mark Literal Elements: PHILLIPS FLAGSHIP
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 0970391, 1106334, 1125048 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: restaurant services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1985

Use in Commerce: Dec. 1985

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: S.B. PHILLIPS LLC
Owner Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: MARYLAND

Attorney/Correspondence Information

Attorney Name: Tracy-Gene G. Durkin
Attorney Primary Email: tm@skgf.com
Attorney of Record
Docket Number: 2235.0300000
Attorney Email: Yes

Address:

Authorized:

Correspondent

Correspondent Tracy-Gene G. Durkin
Name/Address: Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue, NW
WASHINGTON, DISTRICT OF COLUMBIA 20005-6125
UNITED STATES

Phone: 202 371 2600

Fax: 202 371 2540

Correspondent e-mail: tm@skgf.com tdurkin@skgf.com jshirk@skgf.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 18, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 18, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Apr. 18, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Apr. 03, 2013	TEAS SECTION 8 & 15 RECEIVED	
Sep. 05, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 22, 2007	REGISTERED-PRINCIPAL REGISTER	
Mar. 06, 2007	PUBLISHED FOR OPPOSITION	
Feb. 14, 2007	NOTICE OF PUBLICATION	
Jan. 16, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 16, 2007	ASSIGNED TO LIE	74221
Dec. 19, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 29, 2006	LIE CHECKED SUSP - TO ATTY FOR ACTION	70997
May 15, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 15, 2005	LETTER OF SUSPENSION MAILED	
Nov. 15, 2005	SUSPENSION LETTER WRITTEN	78484
Nov. 15, 2005	ASSIGNED TO EXAMINER	78484
Apr. 22, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Apr. 18, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Phillips Crab House, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3610/0544](#)

Pages: 4

Date Recorded: Aug. 28, 2007

Supporting Documents: [assignment-tm-3610-0544.pdf](#)

Assignor

Name: [PHILLIPS CRAB HOUSE, INC.](#)

Execution Date: Aug. 14, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

Assignee

Name: S.B. PHILLIPS LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: MARYLAND

Address: 1215 E. FORT AVENUE
BALTIMORE, MARYLAND 21230

Correspondent

Correspondent Name: TRACY-GENE G. DURKIN
Correspondent Address: 1100 NEW YORK AVENUE, NW
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 4298/0718

Pages: 10

Date Recorded: Oct. 19, 2010

Supporting Documents: assignment-tm-4298-0718.pdf

Assignor

Name: S.B. PHILLIPS LLC
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Sep. 10, 2010

State or Country Where Organized: MARYLAND

Assignee

Name: SHIRLEY F. PHILLIPS REVOCABLE TRUST
Legal Entity Type: TRUST

State or Country Where Organized: MARYLAND

Address: 2004 PHILADELPHIA AVENUE
OCEAN CITY, MARYLAND 21842

Correspondent

Correspondent Name: JONATHAN R. WACHS
Correspondent Address: 8171 MAPLE LAWN BOULEVARD
SUITE 200
MAPLE LAWN, MD 20759

Domestic Representative - Not Found

Proceedings**Summary**

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: 91208786

Filing Date: Jan 09, 2013

Status: Pending

Status Date: Jan 09, 2013

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Mississippi Band of Choctaw Indians
Correspondent Address: BARBARA L (PIXIE) WAITE
LAW OFFICE OF BARBARA L WAITE PC
1425 K STREET NW , SUITE 350
WASHINGTON DC , 20005-3514
UNITED STATES

Correspondent e-mail: pixie@blwaitepc.com

Associated marks

Mark
PHILLIP M'S

Application Status
Opposition Pending
Plaintiff(s)

Serial Number
85523774

Registration Number

Name: SB Phillips LLC
Correspondent Address: TRACY-GENE G DURKIN
STERNE KESSLER GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE NW
WASHINGTON DC , 20005
UNITED STATES
Correspondent e-mail: tdurkin@skgf.com , tm@skgf.com , jshirk@skgf.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PHILLIPS	Renewed	<u>73136571</u>	<u>1125048</u>
PHILLIPS CRAB HOUSE	Renewed	<u>72427126</u>	<u>970391</u>
PHILLIPS SEAFOOD HOUSE	Renewed	<u>73136570</u>	<u>1106334</u>
PHILLIPS SEAFOOD RESTAURANTS	Renewed	<u>75836763</u>	<u>2395764</u>
PHILLIPS FLAGSHIP	Section 8 and 15 - Accepted and Acknowledged	<u>78609533</u>	<u>3243635</u>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 09, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 10, 2013	Feb 19, 2013
3	PENDING, INSTITUTED	Jan 10, 2013	
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 11, 2013	
5	SUSPENDED	Feb 11, 2013	